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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,222	12/21/2001	Jin Hee Jung	8733.445.00	3350

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EXAMINER

FINEMAN, LEE A

ART UNIT	PAPER NUMBER
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2872

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/024,222

Applicant(s)

JUNG, JIN HEE

Examiner

Lee Fineman

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This Office Action is in response to an amendment filed 12 May 2003 in paper number 5 in which claims 1-2, 11-12, 17, 19 and 23 were amended and claim 31 was added. Claims 1-31 are pending.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 8-12, 17-18, 23-24, 27, and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Franklin et al., European Patent Application No. 0 477 882 A2.

Regarding claims 1-3, 10-12, 17-18, 23-24, 27 and 29-30, Franklin et al. discloses a polarizer stereoscopic display apparatus (fig. 1) comprising a liquid crystal display panel (12) for producing modulated light in accordance with signal data having a left-eye and right-eye image information (14, 16); a polarizer (column 2, lines 8-10) for passing a portion of the modulated light from the liquid crystal display, wherein a portion of modulated light has a predetermined polarization; a patterned retarder layer (22) which is formed on a transparent substrate (fig. 3, 62) that is made of waveguide material and from a solvent-proof polymer (polyimide) and does not affect polarization changes of the light between the polarizer and the retarder; wherein the transparent substrate is adhered to/on the polarizer (figs. 7 or 8a – the transparent substrate is within the retarder which is adhered to/on the polarizer in these display embodiments); and wherein said retarder layer is covered with a protecting polymer (figs 7 or 8); and wherein the

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patterned retarded layer includes a plurality of first area cells (26) for separating light polarization passed through the polarizer and the transparent substrate into a left-eye picture and a plurality of second area cells (24) for separating light polarization passed through the polarizer into a right-eye picture, wherein the plurality of first area cells and the plurality of second area cells are patterned in accordance with the predetermined pattern of said left-eye and right eye-modulated light (column 2, lines 7-35) and wherein the first and second cell areas are in alternating lines. The method of utilizing the structure of the claim is inherent therein.

Regarding claims 8 and 9, Franklin et al. further discloses including polarizing glasses (23) for receiving different polarization wherein the polarizing glasses have a different polarization for a left lens and a right lens (column 2, lines 35-41).

Regarding claim 31, Franklin et al. further disclose in figs 7 or 8a wherein the retarder layer (96 or unnumbered) that includes the transparent substrate (62, as shown in fig. 3) form an integral assembly with the polarizer (88 or 38).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-7, 13-16, 19-22, 25-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Franklin et al. in view of Moseley et al., U.S. Patent No. 6,046,849.

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Franklin et al. discloses the claimed invention except for the retarder layer containing a chiral material made from a liquid crystal polymer mixture containing a chiral dopant and being exposed to light so as to be patterned with a plurality of first area cells for transmitting light for the left-eye picture and a plurality of second area cells for transmitting light for the right-eye picture wherein the first and second cell areas are in alternating lines or in a checkered pattern. Moseley et al. teaches a polarizer stereoscopic display apparatus (figs. 10-11) comprising a liquid crystal display panel (1), a polarizer (21) and a patterned retarder layer (20) containing a chiral material made from a liquid crystal polymer mixture containing a chiral dopant for enabling light modulation (column 18, lines 1-7) and is exposed to light so as to be patterned with a plurality of first area cells for transmitting light for the left-eye picture and a plurality of second area cells for transmitting light for the right-eye picture wherein the first and second cell areas are in alternating lines (figs. 17a-17d) or a checkered pattern (figs. 18a-18j). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the retarder layer of Franklin et al. include a chiral material made from a liquid crystal polymer mixture containing a chiral dopant and being exposed to light so as to be patterned with a plurality of first area cells for transmitting light for the left-eye picture and a plurality of second area cells for transmitting light for the right-eye picture wherein the first and second cell areas are in alternating lines or in a checkered pattern to provide a guiding twisted retarder (column 18, lines 4-6, Moseley). The method of utilizing the structure of the claim is inherent therein.

***Response to Arguments***

5. Applicant's arguments filed 12 May 2003 have been fully considered but they are not persuasive.

Applicant argues that Franklin et al. fails to teach or suggest a transparent substrate adhered to or on the polarizer, and more specifically that the transparent waveguide material designated by reference numeral 62 is not shown to be adhered to or on any polarizing film. The examiner respectfully disagrees. Fig. 3 in Franklin et al. discloses the preferred embodiment (column 4, lines 37-38) of a retarder that is used in display 10. Figs. 7 and 8a disclose detailed sections for display 10 including a retarder. While these retarders are labeled 96 in fig. 7 and not numbered in fig. 8a, the disclosure states in column 5, lines 41-43 that retarder (22) which includes transparent substrate (62) is intended in fig. 7 and as it is unnumbered in fig 8 any of the retarder embodiments could be used. Therefore, Franklin et al. does disclose the transparent substrate adhered to/on the polarizer in a polarizer stereoscopic display apparatus.

6. It is noted by the Examiner that the specification and claim objections made in the previous Office Action have been withdrawn due to amendment by the Applicant.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Fineman whose telephone number is (703) 305-5414. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (703) 305-0024. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4900.

LAF

LAF  
July 26, 2003

  
MARK A. ROBINSON  
PRIMARY EXAMINER